



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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FEB 13 2002

REPLY TO THE ATTENTION OF: DE-9J

Mr. Stephen H. McCracken
Director
U.S. Department of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

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Re: Letter of Acknowledgment
RCRA Compliance Evaluation Inspection
U.S. Department of Energy
Fernald Environmental Management Project
Ross, Ohio
OH6 890 008 976

Dear Mr. McCracken:

On December 12, 2001, your installation located near Ross, Ohio, was inspected by United States Environmental Protection Agency (U.S. EPA) and Ohio Environmental Protection Agency (OEPA) representatives. The purpose of the inspection was to evaluate compliance with certain requirements of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, transportation, and storage of hazardous waste.

U.S. EPA did receive a copy of your December 31, 2001, letter and a copy of the January 4, 2002, letter sent to you from the OEPA.

As of this writing, our review of the inspection has not resulted in the detection of violations of any of the 40 CFR Part 265 Subpart CC (Air Emission Standards for Containers) RCRA requirements. U.S. EPA has enclosed a copy of the photograph taken during the inspection.

This determination does not limit the applicability of either the requirements examined or other RCRA regulations. Your installation will continue to be evaluated by U.S. EPA and the OEPA in the future.

If you have any questions regarding this letter, please contact
Walt Francis of my staff at (312)353-4921.

Sincerely yours,



Paul Little, Chief
Compliance Section #2
Enforcement and Compliance Assurance Branch
Waste, Pesticides and Toxics Division

Enclosure

cc: Phillip Harris, OEPA-SW District Office

Inspection Checklist for Subpart CC: Air Emission Standards (Containers)

Item # 40 CFR:

CC-1	265.1080	Do any of the following exclusions apply? If yes, please circle.	YES	NO
<p>Applicability: The air emission requirements apply to units subject to subpart I * unless the following apply (circle if applicable):</p> <ol style="list-style-type: none"> 1. Waste was placed in unit prior to Oct. 6, 1996, and none has been added since. 2. The container capacity is less than .1 cubic meter (26 gallons) 3. A unit (e.g. tank) has stopped adding waste and is undergoing closure 4. The unit is used solely for onsite treatment or storage as a result of remedial activities required under corrective action, Superfund, or other similar state program 5. The unit is used solely to manage radioactive mixed waste 6. The unit is regulated by and operates in accordance with Clean Air Act regulations <p>*Note: 1. Satellite containers are exempt 2. CESQG's and SQG's are exempt</p>				
CC-2	265.1083	Do any of the following exemptions apply? If yes, please circle	YES	NO
<p>General Standards: The owner/operator must control air emissions from waste management units except the unit is exempt if (please circle if applicable):</p> <ol style="list-style-type: none"> 1. All hazardous waste entering the unit has an average VO concentration at the point of origination less than 500 parts per million by weight (waste determination required) 2. The organic content of all waste entering the unit has been reduced by one of the 8 acceptable destruction or removal processes. 3. The unit is a tank used for certain biological treatment 4. The hazardous waste placed in the unit meets the LDR numerical concentration limits or has been treated using the specified LDR treatment technology (for organics) 5. The unit is a tank used for bulk feed to an incinerator and meets certain requirements 				
CC-3	265.1084	Waste Determination:	Determination Not Needed	X
<p>Was the VO concentration properly determined for each waste which the facility manages in a unit which does not meet Subpart CC requirements? The concentration must be determined by either direct measurement or knowledge. Please see 265.1084 for specific requirements for measurement and knowledge. Determination is <u>not</u> needed for waste managed in containers which meet standards. It may be necessary to evaluate container management prior to requiring VO concentration determination.</p>				

#	NA=Not Applicable, NI=Not Inspected, OK= In Compliance, DF= Deficiency		NA	NI	OK	DF
CONTAINER MANAGEMENT 265.1087						
Level 1		Level 2		Level 3		
Larger than 26.4 gallons and less than or equal to 122 gallons, or larger than 122 gallons and do not manage H.W. in light material service		Larger than 122 gallons and manage H.W. "in light material service" (definition at 265.1081)		Larger than 26.4 gallons and treat H.W. by a stabilization process		
CC-4	265.1087	Controls			OK	
One of the following: -Use containers that meet DOT requirements -Use a cover and control with no visible gaps, holes or other open spaces into the interior of the container -Use organic vapor suppression on or above the container 265.1087(c)		One of the following: -Use containers that meet DOT requirements -Use containers that operate with no detectable emissions (method 21) -Use containers that are demonstrated to be vapor-tight within the last 12 months (method 27) 265.1087(d)		-Containers used to stabilize H.W. with volatile organics greater than 500 ppm -For waste stabilized in a container either: 1. container must be vented directly to a control device; or 2. container is vented inside an enclosure which is exhausted through a closed vent to a control device -Conservation vents are not allowed 265.1087(b)(2)		

Level 1			Level 2		Level 3			
#	NA=Not Applicable, NI=Not Inspected, OK= In Compliance, DF= Deficiency			NA	NI	OK	DF	
CC-5	265.1087	Waste transfer requirements					X	
No waste transfer requirements apply			-Waste transfer requirements apply regardless of container alternative used in level 2 -Transfer waste into or out of a container in such a manner as to minimize exposure of the waste to the atmosphere. Acceptable methods include a submerged fill pipe, vapor recovery system, or fitted opening with a line purge 265.1087(b)(3)		Not applicable			
CC-6	265.1087	Operating requirements					X	
The covers, openings, and closure devices should be closed except: 1. When transferring H.W. in and out of the containers 2. between batch transfer not exceeding 15 minutes between transfer (note: if the person performing the transfer leaves the area, or the process shuts down, the container must be closed) 3. While performing sampling and equipment access 4. Conservation and safety vents are allowed -Containers may be open while performing sampling or equipment access -Safety valves and conservation vents may be used if normally left in close position -A cover need not to be on a RCRA empty container, as defined in 40 CFR 261.7 265.1087(c)(3), (d)(3)					-If the vapors are directly vented to a control device, there are specific design and operating criteria that must be met same as tanks that have closed vent and control device systems -If an enclosure is used, the enclosure must meet the design and operating criteria specified in "Procedure T-Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741 The container, enclosure, control device or closed vent system may have safety relief devices.			
CC-7	265.1089	Inspection requirements					X	
Minimal inspection required: - when facility accepts container and it is not emptied within 24 hours -if wastes are stored greater than a year, then visually inspect once a year If inspections are required, facility must develop written plan and schedule to perform inspection 265.1087(c)(4), (d)(4)					Inspection requirements are the same as for tanks			
CC-8	265.1087	Repair requirements					X	
When a defect is detected; attempt to repair within 24 hours must be made and: 1. Repair within 5 calendar days or empty and remove the container from service 2. Do not use until defect is repaired 265.1087(c)(4), (d)(4)					Necessary corrective measures shall be <u>immediately</u> implemented to ensure that the control device is operated in compliance			
CC-9	265.1090	Recordkeeping requirements					X	
-If container exceeds 122 gallons and does not meet DOT standards, records indicating that the container is not managing H.W. in light material service			Since Level 2 waste is "in light material service", no records need to be kept		Depends upon how the organic emissions are vented: -If an enclosure is used, records must be maintained for the most recent set of calculations and measurements performed to verify that the enclosure meets the criteria of a permanent total enclosure (Procedure T) -Records for the closed vent and control device system are the same for those used on tanks(265.1090)(e)			

Comments:

U.S. DOE-Fernald
Fernald, Ohio
12/12/2001



Plant #6 - Demolition Activities